

**FACSIMILE COVER SHEET**

**RECEIVED**  
**CENTRAL FAX CENTER**  
**MAY 15 2006**

**Licata & Tyrrell P.C.**

66 E. Main Street  
Marlton, New Jersey

Tel: (856) 810-1515

Fax: (856) 810-1454

May 15, 2006

**TO: Examiner Desai**

**GROUP: 1653**

**FAX NUMBER: 571-273-8300**

**ATTORNEY DOCKET NO.: PTQ-0058**

**SERIAL NO.: 10/824,027**

**FILED: April 14, 2004**

**NUMBER OF PAGE: 26**

**MESSAGE:** Attached please find Amendment Transmittal Letter; Reply to Office Action mailed February 15, 2006, with attachment and Certificate of Transmission by Facsimile.

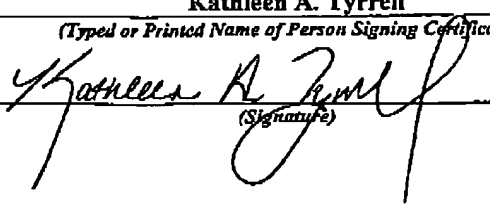
**Kathleen A. Tyrrell, Registration No. 38,350**

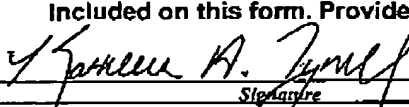
**URGENT! PLEASE DELIVER IMMEDIATELY  
UPON RECEIPT. THANK YOU!**

If you have any questions, or did not receive the proper number of pages, or had trouble during transmission, please call 856-810-1515.

**CONFIDENTIALITY NOTICE**

The information contained in this facsimile message is legally privileged and confidential, and intended only for the use of the individual(s) and/or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any unauthorized disclosure, copying, distribution or taking of any action in reliance on the contents of the telecopied materials is strictly prohibited and review by any individual other than the intended recipient shall not constitute waiver of the attorney-client privilege. If you have received this transmission in error, please immediately notify us by telephone in order to arrange for the return of the materials. Thank you.

|  |                               |                            |                        |
|--|-------------------------------|----------------------------|------------------------|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b><br>Applicant(s): Van Eyk et al.   |                               |                            | Docket No.<br>PTQ-0058 |
| Application No.<br>10/824,027  | Filing Date<br>April 14, 2004 | Examiner<br>Desai, Anand U | Group Art Unit<br>1653 |
| Invention: Methods and Compositions for Modulating Proteins Modified in Preconditioning Against Ischemia/Hypoxia   |                               |                            |                        |
| <b>RECEIVED</b><br><b>CENTRAL FAX CENTER</b><br><b>MAY 15 2006</b>   |                               |                            |                        |
| <p>I hereby certify that this <u>Reply under 37 CFR 1.111</u><br/>(Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>May 15, 2006</u><br/>(Date)</p> <p style="text-align: right;"><u>Kathleen A. Tyrrell</u><br/>(Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"><br/>(Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> |                               |                            |                        |

|   |                                      |                                   |  |                               |                                 |  |
|---|--------------------------------------|-----------------------------------|--|-------------------------------|---------------------------------|--|
| <b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>  |                                      |                                   |  |                               | Docket No.<br><b>PTQ-0058</b>   |  |
| Applicant(s): <b>Van Eyk et al.</b>   |                                      |                                   |  |                               |                                 |  |
| Application No.<br><b>10/824,027</b>  | Filing Date<br><b>April 14, 2004</b> | Examiner<br><b>Desai, Anand U</b> | Customer No.<br><b>26259</b>   | Group Art Unit<br><b>1653</b> | Confirmation No.<br><b>6007</b> |  |
| Invention: <b>Methods and Compositions for Modulating Proteins Modified in Preconditioning Against Ischemia/Hypoxia</b>   |                                      |                                   |  |                               |                                 |  |
| <b>COMMISSIONER FOR PATENTS:</b> <div style="float: right; text-align: right;"> <b>RECEIVED</b><br/> <b>CENTRAL FAX CENTER</b><br/> <b>MAY 15 2006</b> </div>   |                                      |                                   |  |                               |                                 |  |
| Transmitted herewith is an amendment in the above-identified application.   |                                      |                                   |  |                               |                                 |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |                                      |                                   |  |                               |                                 |  |
| The fee has been calculated and is transmitted as shown below.  |                                      |                                   |  |                               |                                 |  |
| <b>CLAIMS AS AMENDED</b>  |                                      |                                   |  |                               |                                 |  |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT  | HIGHEST #<br>PREV. PAID FOR       | NUMBER EXTRA<br>CLAIMS PRESENT   | RATE                          | ADDITIONAL<br>FEE               |  |
| TOTAL CLAIMS  | 9 -                                  | 20 =                              | 0  | x \$25.00                     | \$0.00                          |  |
| INDEP. CLAIMS   | 1 -                                  | 6 =                               | 0  | x \$100.00                    | \$0.00                          |  |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                      |                                   |  |                               | \$0.00                          |  |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>  |                                      |                                   |  |                               | <b>\$0.00</b>                   |  |
| <input checked="" type="checkbox"/> No additional fee is required for amendment.<br><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-1619</b><br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b> |                                      |                                   |  |                               |                                 |  |
| <br>_____<br>Kathleen A. Tyrrell, Reg. No. 38,350  |                                      |                                   | Dated: <b>May 15, 2006</b>   |                               |                                 |  |
| CC:   |                                      |                                   | <div style="border: 1px solid black; padding: 5px;">         I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____<br/>         _____<br/>         (Date)<br/>         _____<br/>         Signature of Person Mailing Correspondence<br/>         _____<br/>         Typed or Printed Name of Person Mailing Correspondence       </div> |                               |                                 |  |